

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**KEITH L. CLEGHORN,**  
**Plaintiff**

**v.**

**CAROLYN W. COLVIN,**  
**Commissioner of the**  
**Social Security Administration**  
**Defendant**

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**No. 1:15-cv-00914**

**(Judge Kane)**  
**(Magistrate Judge Schwab)**

**ORDER**

Presently before the Court in this above-captioned action is the September 9, 2016 Report and Recommendation of Magistrate Judge Schwab. (Doc. No. 9.) No timely objections have been filed.<sup>1</sup> Accordingly, this 26<sup>TH</sup> day of September 2016, upon review of the record and applicable law, **IT IS HEREBY ORDERED THAT:**

1. The Court adopts the Report and Recommendation (Doc. No. 9), of Magistrate Judge Schwab;
2. The Commissioner's decision is **VACATED**, and Plaintiff's request for relief is **GRANTED**;
3. Judgment is entered in favor of Plaintiff and against Defendant;
4. This case shall be remanded to the Commissioner to conduct a new administrative hearing pursuant to sentence four of 42 U.S.C. § 405(g); and
5. The Clerk of Court shall **CLOSE** the case.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania

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<sup>1</sup> Defendant waived the opportunity to object to the Report and Recommendation entered by Magistrate Judge Schwab on September 22, 2016. (Doc. No. 10.)